

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 03 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 03 2003

The applicant **Donald W. Acton Jr. and Shauna Acton**, hereby make application for permission to change the **point of diversion and the place of use of a portion** of water heretofore appropriated under **Permit 34811 Certificate 11112**

1. The source of water is **underground**
2. The amount of water to be changed **.00815 cfs**
3. The water to be used for **irrigation and domestic uses**
4. The water heretofore permitted for **irrigation and domestic uses**
5. The water is to be diverted at the following point **within the NW¼ NW¼ of Section 11, T.35N., R.37E., MDB&M or at a point from which the NW corner of said Section 11 bears N 11°23' W a distance 1351.0 feet**
6. The existing permitted point of diversion is located within **the NW¼ NW¼ of Section 11, T.35N., R.37E., MDB&M or at a point from which the NW corner of said Section 11 bears N 34°05' W a distance 1273.0 feet**
7. Proposed place of use **1.0 acre within the NW¼ NW¼ of Section 11, T.35N., R.37E., MDB&M**
8. Existing place of use **10.0 acres in the NW¼ NW¼ of Section 11, T.35N., R.37E., MDB&M; 1.0 acre to be removed**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pump, pipeline, and irrigation system**
12. Estimated cost of works **\$1,000±**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **This application is being filed to change the point of diversion and place of use of 1.0 acre of water that was transferred to the applicants in 1998. See summary of Ownership for Permit 34811 Certificate 11112.**

By **Desert Mountain Surveying as agent**
John H. Milton III, PLS, SWRS
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cmf/ cac dl/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 34811, Certificate 11112 is issued subject to the terms and conditions imposed in said Permit 34811, Certificate 11112 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.00815 cubic feet per second but not to exceed 3.0 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 25, 2004

Proof of completion of work shall be filed before:

December 25, 2004

Water must be placed to beneficial use on or before:

November 25, 2005

Proof of the application of water to beneficial use shall be filed on or before:

December 25, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of November, A.D. 2003


State Engineer

Completion of work filed DEC 14 2004
Proof of beneficial use filed _____
Cultural map filed N/A
Certificate No. _____ Issued _____